

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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CHARLES J. SENIOR, NORMAN FAHY,)
RONALD D. PHIPPS, RAYMOND)
W. POSTMA, THOMAS G. HIRL,)
GARRETT M. FAGAN)
and UNITED STEELWORKERS)
OF AMERICA, LOCAL 12004)

Plaintiffs,

v.

NSTAR ELECTRIC AND GAS)
CORPORATION and)
COMMONWEALTH GAS COMPANY)

Defendant)

2005 MAR -4 P 2:51

UNITED STATES DISTRICT COURT
DISTRICT OF MASS.

Civil Action No. 04-10160-EFH

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs move for summary judgment as follows:

1. Defendant NSTAR violated 1973, 1975 and 1978 collective bargaining agreements by terminating Medicare Part B premium reimbursement to employees who retired under the terms of those agreements and their spouses.

2. NSTAR violated the right of plaintiffs Charles J. Senior and Garrett M. Fagan by canceling reimbursement of Medicare Part B reimbursement for them and their spouses.

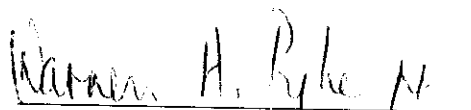
3. NSTAR violated the 1997 and 1999 voluntary retirement programs by announcing that employees who retired under those programs, and their spouses, would lose dental coverage if they did not reach age 65 by April 1, 2003.

NSTAR should be ordered to reimburse plaintiffs and those they represent for their losses and to reinstate their benefits.

Respectfully submitted:

CHARLES J. SENIOR, NORMAN FAHY,
RONALD D. PHIPPS, RAYMOND
W. POSTMA, THOMAS G. HIRL,
GARRETT M. FAGAN
and UNITED STEELWORKERS
OF AMERICA, LOCAL 12004

By their attorneys,

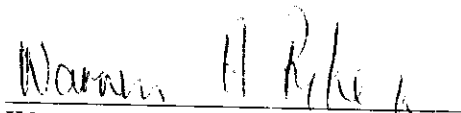


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Dated: March 4, 2005

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served upon all counsel of record, by hand delivery, on March 4, 2005.


Warren H. Pyle